

FILED

APR 22 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

550
new

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
Corie McNair

CV 08 2103

Docket No. (To be supplied by the Clerk)

MHP

E-filing

Plaintiff/Petitioner(s);

-vs-

SAN FRANCISCO POLICE DEPARTMENT

Defendant/Respondent(s).

☐

CIVIL RIGHTS COMPLAINT
pursuant to 42 U.S.C. §1983
(State Prisoner)

☒

CIVIL RIGHTS COMPLAINT
pursuant to 28 U.S.C. §1331
(Federal Prisoner)

(PR)

☐

CIVIL COMPLAINT
pursuant to the Federal Tort Claims
Act, 28 U.S.C. §1346, 2671-2680

I. JURISDICTION

A. Plaintiff's mailing address and/or register number and present place of confinement.

*93265 - 011. Federal Medical Center - Butner, North Carolina
27509

B. Defendant Ronald T. Liberto is employed as
(Name of First Defendant)

Law Enforcement Officer
(Position/Title)

with San Francisco Police Department
(Employer's Name and Address)

850 Bryant Street, San Francisco, California 94103

C. At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes (✓)

No ()

If your answer is "yes", briefly explain:

Defendant(s) were employed at the San Francisco Police
Department as Law Enforcement Officer(s) in the city of
San Francisco, California on September 24, 2003.

08-2103 MHP

D. Defendant Ronald T. Liberta is employed as
(Name of First Defendant)
Law Enforcement Officer
(Position/Title)

with San Francisco Police Department
(Employer's Name and Address)
850 Bryant Street, San Francisco, California 94103

E. At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes (✓) No ()

If your answer is "yes", briefly explain:

Defendant was employed at the San Francisco Police Department
as a Law Enforcement Officer in the city of San Francisco,
California on September 24, 2003.

F. Using the outline of the form provided, include the above information for any additional defendant(s).

Defendants Officer Martin #60, Sergeant Dudoroff #1673, Officer
McKinney #4140 and Officer Collins #295 is employed as Law
Enforcement Officers with the San Francisco Police Department at
850 Bryant Street, San Francisco, California 94103.

II. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes () No (✓)

B. If your answer to "A" is "yes", describe the lawsuit(s) in the space below. (If there is more than one (1) lawsuit, you must describe the additional lawsuits on another sheet of paper, using the same outline.) Failure to comply with this provisions may result in summary denial of your complaint.

1. Parties to previous lawsuits:

Plaintiff(s) _____

Defendant(s) _____

2. Court (if Federal Court, name the District; if State Court, name the County) _____

3. Docket number _____

4. Name of Judge to whom case was assigned _____

5. Type of case (for example: Was it a Habeas Corpus or Civil Rights action?) _____

6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____

7. Approximate date of filing lawsuit _____

8. Approximate date of disposition _____

III. GRIEVANCE PROCEDURE

- A. Is there a prisoner grievance procedure in the institution? Yes

- B. Did you present the facts relating to your complaint in the prisoner grievance procedure. Yes () No (✓)

- C. If your answer is "yes",

1. What steps did you take? _____

2. What was the result? _____

- D. If your answer is "no", explain why not. I did not initiate the Grievance procedure within the Federal Medical Center because the Defendant(s) were not employed at the facility that I am currently detained in

- E. If there is no prisoner grievance procedure in the institution, did you complaint to prison authorities? Yes () No ()

F. If your answer is "yes".

1. What steps did you take? _____

2. What was the result? _____

- E -

(FOIA b(7)(D))

G. If your answer is "no", explain why not. I did not speak to any Staff member within the Federal Medical Center about my complaint against the member(s) of the San Francisco Police Department because of their lack of Jurisdictional authority to resolve the issue in question.

H. Attach copies of your request for an administrative remedy and the response(s) you received. If you cannot do so, explain why not:

IV. STATEMENT OF CLAIM

State here, as briefly as possible, the FACTS of your case. State who, what, when, where and how you feel your constitutional rights were violated. Do not cite cases or statutes. If you choose to submit legal arguments or citations, you must do so in a separate memorandum of law. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. If your claims relate to prison disciplinary proceedings, attach copies of the disciplinary charges and any disciplinary hearing summary as exhibits.

Only two (2) extra pages (8½ x 11") are permitted, if necessary, to complete your statement of claim. Additionally, attach any relevant, supporting documentation.

On September 24, 2003, Officer Ronald T. Liberta, Officer Martin #60, Sergeant Dudoroff #1673, Officer McKinney #4140, and Officer Collins #295 negligently disregarded my Civil/Human rights established by the Parts, Amendments and Articles to the Declaration of Independence, Bill of Rights and Universal Declaration of Human rights - when subjecting me to degrading treatment and punishment - through the act of arbitrary detention, arrest and exile - due to defaming my Character as a result of discrimination.
My Civil/Human rights associated with Amendment 1, 4 and 8 to the Bill of Rights - Article 2, 5, 7, 9 and 12 to the Universal Declaration of Human Rights; and Part 2 to the Declaration of Independence were violated by defendants Officer Ronald T. Liberta #682, Officer Martin #60, Officer McKinney #4140, Sergeant Dudoroff #1673 and Officer Collins #295 in the city of San Francisco, California.

V. REQUEST FOR RELIEF

State exactly what you want the Court to do for you. If you are a state or federal prisoner, and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records or parole release), you must file your claim on a Habeas Corpus form, pursuant to 28 U.S.C. §2254, 28 U.S.C. §2255, or 28 U.S.C. §2241.

I would like for the Court to appoint an independent, competent,
impartial Attorney to represent me in the litigation matter associated with
the defendants employed at the San Francisco Police Department as mentioned
within this document, and to grant me, Corie McNair, the courtesy to proceed
in Forma Pauperis, so that I may pursue this law suit in an attempt to receive
justice by being awarded with a \$25,000,000.00 (Twenty-Five million dollar)
settlement - through the act of evoking my right to a trial under Amendment 7
to the Bill of Rights.

Signature of attorney, if any

DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, declare (or certify, verify, or state), under penalty of perjury, that I am the plaintiff in the above action, that I have read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. §1621.

Signed this 12 day of April, 2008

Corie McNair

Signature of Plaintiff

Declaration

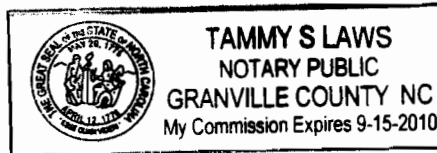
I, the Petitioner, Corie McNair, hereby states that I am in fact indigent to the extent to where I cannot produce the necessary finances to initiate the Civil complaint in which I have made against members of the San Francisco Police Department in the amount of \$100.00, ect.

Corie McNair
(Petitioner signature)

Sworn and/or subscribed before me on the
11 day of APRIL, 2008.

Tammy S. Laws
(Notary Public signature)

My commission expires 9/15/2010



Note: See the inclosed/attached information in regards to my, Corie McNair's, financial history within the document entitled Inmate Inquiry / Commissary History.

DISTR

"Hand copied"

CV 08 21

April 13, 2008

Greetings Clerk of Court,

MHP (PR)

My name is Corie McNair, and I am a
Prisoner currently incarcerated within the Federal Medical Center
in Butner, North Carolina.

Anyway, I would like for you to file the inclosed Civil
Rights Complaint form as soon as you're able.
I would appreciate your assistance in this matter. Thanks.

Sincerely,
Corie McNair

E-filing

Inmate Inquiry

Inmate Reg #:	93265011	Current Institution:	Butner FCC
Inmate Name:	MCNAIR, CORIE	Housing Unit:	BUII-11-A
Report Date:	04/11/2008	Living Quarters:	H01-415L
Report Time:	3:42:57 PM		

[General Information](#) |
 [Account Balances](#) |
 [Commissary History](#) |
 [Commissary Restrictions](#) |
 [Comments](#)

General Information

Administrative Hold Indicator: No
 No Power of Attorney: No
 Never Waive NSF Fee: No
 Max Allowed Deduction %: 100
 PIN: 6740
 PAC #: 386784151
 FRP Participation Status: No Obligation
 Arrived From: BUX
 Transferred To:
 Account Creation Date: 6/17/2004
 Local Account Activation Date: 6/7/2006 7:19:12 AM

Sort Codes:
 Last Account Update: 4/10/2008 3:26:07 PM
 Account Status: Active
 Phone Balance: \$1.34

FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate
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Account Balances

Account Balance: \$3.22
 Pre-Release Balance: \$0.00
 Debt Encumbrance: \$0.00
 SPO Encumbrance: \$0.00
 Other Encumbrances: \$0.00
 Outstanding Negotiable Instruments: \$0.00
 Administrative Hold Balance: \$0.00
 Available Balance: \$3.22
 National 6 Months Deposits: \$132.60
 National 6 Months Withdrawals: \$134.62
 National 6 Months Avg Daily Balance: \$1.81
 Local Max. Balance - Prev. 30 Days: \$27.27
 Average Balance - Prev. 30 Days: \$0.51

Commissary History

Purchases

Validation Period Purchases: \$19.05
YTD Purchases: \$131.44
Last Sales Date: 4/10/2008 1:07:33 PM

SPO Information

SPO's this Month: 0
SPO \$ this Quarter: \$0.00

Spending Limit Info

Spending Limit Override: No
Weekly Revalidation: No
Bi-Weekly Revalidation: No
Spending Limit: \$290.00
Expended Spending Limit: \$19.05
Remaining Spending Limit: \$270.95

Commissary Restrictions

Spending Limit Restrictions

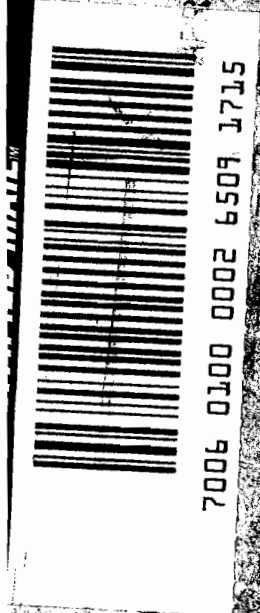
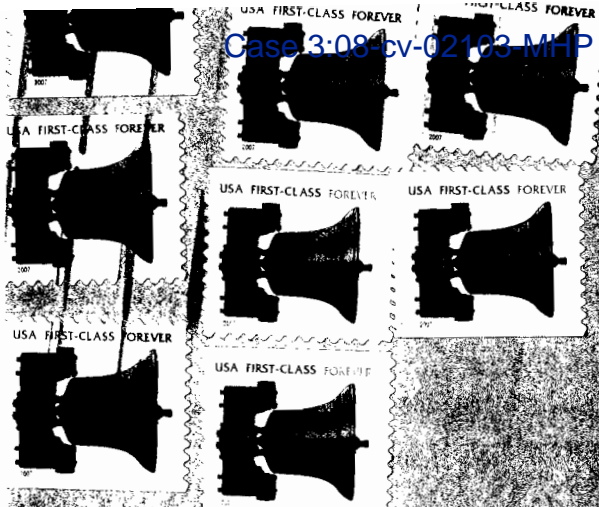
Restricted Spending Limit: \$0.00
Restricted Expended Amount: \$0.00
Restricted Remaining Spending Limit: \$0.00
Restriction Start Date: N/A
Restriction End Date: N/A

Item Restrictions

List Name	List Type	Start Date	End Date	Active
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Comments

Comments:



Corrie McNair
93265-011
FMC
P.O. BOX 16600
Butner, NC 27509, Unit 1



Clerk's Office
Federal Building
450 Golden Gate Avenue
San Francisco, California
94102

RECEIVED

APR 18 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

"Legal Mail"

APR 18 2008

RICHARD W. WIKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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"Legal Mail"

Clerk's Office
Federal Building
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San Francisco, California
94102



2008

P.O. Box 1608
Butternut, NC 27509, Unit 1

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